REMARKS

Claims 1-15 are pending in the present patent application. Claims 1-15 stand rejected. This application continues to include claims 1-15.

Claims 1-5 and 12-15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Rourke, et al., U.S. Patent No. 5,995,721 (hereinafter, Rourke) in view of Reisman, U.S. Patent No. 6,769,009 B1 (hereinafter, Reisman). Applicants request reconsideration of the rejection of claims 1-5 and 12-15 in view of the following.

Rourke is directed to a system which examines the attributes of a document for the purpose of delivering one or more portions of the document to one or more of the document processing subsystems on the basis of the examination of the attributes (col. 1, lines 9-13).

Rourke discloses a processing system 10 that includes a plurality of printers 12-1, 12-2, 12-3, . . . 12-n for processing print jobs and making prints in accordance with the job programming instructions for each job printed (col. 6, lines 45-48). Processing system 10 provides print processing for various workstations or clients 15-1, 15-2, 15-3, . . . 15-n, which may be remote and/or on site, are operatively coupled to printers 12-1, 12-2, 12-3, 12-n through server 25 (col. 6, lines 60-64).

Clients 15-1, 15-2, 15-3, . . . 15-n provide the electronic documents that are the source of the print jobs and for this purpose individual ones or all of clients may have a document scanner, disk input, keyboard, fax, etc. for generating the electronic documents that comprise the job to be printed (col. 7, lines 2-7). Clients 15-1, 15-2, 15-3, . . . 15-n include a User Interface 16 enabling programming selections for print jobs to be made in the form of an electronic job ticket 35 that allows a user to program a print job for transmission to server 25 (col. 7, lines 7-20).

Thus, Rourke essentially discloses clients 15-1 . . . 15-n that generate electronic documents using keyboards, scanners, and faxes, to create a print job in the form of a job ticket that allows the user to transmit the print job to server 25 for printing on printers 12-1, etc.

Reisman is directed enabling a user at a user station to select a personalized set of information channels from a listing of available information channels (col. 1, lines 29-31).

Reisman discloses a system for distributing information to a plurality of user stations, each configured for communications with a multiplicity of servers via a non-proprietary network (col. 5, lines 30-33). A workstation 10 is communications-equipped for communication with remote services, for example by modem, which includes an operating system services 10, a containing information product 12, and an information transport component or module 14 (col. 6, lines 47-54). Information transport component 14 provides a general purpose facility for sending and fetching information objects between an end user's computer (the client) and a central server (col. 6, lines 58-61).

Applicants believe that claims 1-5 and 12-15 patentably define Applicants' invention over Rourke in view of Reisman, for at least the reasons set forth below.

Applicants hereby incorporate by reference their arguments as set forth in their previous Response mailed August 25, 2005.

Claim 1 is directed to a server system for a document processing system. Claim 1 recites a plurality of input sources, a plurality of input source servers connected to said input sources, said input source servers being configured to receive a plurality of digital files from said input sources; and a central server connected to said input source servers, said central server being configured to receive said digital files from said input source servers and perform at least one action on at least one of said digital files.

The Examiner acknowledges that Rourke does not disclose, teach, or suggest the plurality of input servers, as recited in claim 1.

For example, rather than a plurality of input source servers being configured to receive a plurality of digital files from input sources, and a central server connected to the input source servers, the central server being configured to receive the digital files from the input source servers (not from the input sources), Rourke discloses that clients 15-1 . . . 15-n generate electronic documents using keyboards, scanners, faxes, to create a print job in the form of a job ticket that allows the user to transmit the print job to server 25 for printing on printers 12-1, etc. (col. 6, lines 45-64, col. 7, lines 2-20).

Regarding Reisman, in contrast to a plurality of input source servers connected to said input sources, said input source servers being configured to receive a plurality of digital files from said input sources; and a central server connected to said input source servers, said central server being configured to receive said digital files from said input source servers and perform at least one action on at least one of said digital files, Reisman discloses a system for distributing information to a plurality of user stations, each configured for communications with a multiplicity of servers via a non-proprietary network (col. 5, lines 30-33).

As set forth in Applicants' previous Response, the combination of Rourke and Reisman would not yield Applicants' claimed invention, since Applicants claimed invention is a 3-tier system wherein two of the tiers are servers, whereas both Rourke and Reisman are 2-tier systems with *no* servers tiered with respect to each other.

In response to Applicants' arguments in their previous Response, the Examiner asserts that Applicants' claims do not recite a 3-tier system, and that limitations from the specification are not read into the claims.

However, Applicants' claim 1 clearly recites a plurality of input sources; a plurality of input source servers connected to said input sources, said input source servers being configured to receive a plurality of digital files from said input sources; and a central server connected to said input source servers, said central server being configured to receive said digital files from said input source servers and perform at least one action on at least one of said digital files.

Thus, the configuration recited in claim 1 is a 3-tier system, that is, input sources (1st teir), input source servers (a 2nd tier) connected to the input sources, and a central server (a 3rd tier) connected to the input source servers.

In contrast to a 3-tier system having one source tier and two server tiers, in the manner recited in claim 1, Rourke discloses a 2-tier system having one source tier and one server tier. In addition, as clearly depicted in Reisman Fig. 12, Reisman discloses a 2-tier system for distributing information to a plurality of user stations, each configured for communications with a multiplicity of servers via a non-proprietary network (col. 5, lines 30-33).

Without regard to whether "A server in this case could refer to the program that is managing resources rather than the entire computer," as asserted by the Examiner, Rourke and Reisman, taken alone or in combination do not disclose, teach, or suggest input sources (1 tier), input source servers (a 2nd tier) connected to the input sources, and a central server (a 3rd tier) connected to the input source servers, as recited in claim 1.

Further, the Examiner has not demonstrated the effective dates of the definitions relied upon by the Examiner in the Response To Arguments, including the definition obtained via Webopeidia, such as formed the basis of the Examiner's assertion that "A server in this case could refer to the program that is managing resources rather than the entire computer."

Since the relied-upon definitions were not shown by the Examiner to have an effective date or to have been in use at the time Applicants' invention was made, such definitions may not be used as part of the rejection of Applicants' claims under 35 USC §103(a), and may not be employed in interpreting Applicants' claims.

In addition, notwithstanding the above, to rely on a reference under 35 USC §103(a), that reference must be analogous art. MPEP 2141.01(a). However, Reisman is not analogous art.

For example, Applicants' invention is generally directed to a server system for automatic multiple action document processing (title of Applicants' application). Claim 1 is directed to a server system for a document processing system.

However, Reisman is completely unrelated to a server system for document processing, much less in the manner as recited in claim 1, but rather, is directed to enabling a user at a user station to select a personalized set of information channels from a listing of available information channels (col. 1, lines 29-31).

Thus, Reisman does not deal with matter such as logically would have commended itself to Applicants' attention in considering their problem. MPEP 2141.01(a).

Consequently, Reisman is directed to subject matter that is wholly unrelated to Applicants' claimed invention, and is not analogous art. Thus, the combination of Rourke and Reisman may not be employed in rejecting claims 1-5 and 12-15 under MPEP 2141.01(a).

Accordingly, for at least the reasons set forth above, claim 1 is believed allowable in its present form.

Claims 2-5 are believed allowable due to their dependence, directly or indirectly, on otherwise allowable base claim 1. In addition, claims 2-5 further and patentably define the invention over Rourke and Reisman, taken alone or in combination.

Claim 12 is directed to a server system for a document processing system, said server system comprising a server configured to perform a plurality of operations on a single digital file.

As set forth in Applicants' previous Response, Rourke and Reisman, taken alone or in combination, simply do not disclose, teach, or suggest a server system for a document processing system, said server system comprising a server configured to perform a plurality of operations on a single digital file, as recited in claim 12.

Rather, Rourke discloses only that a server that performs a single function on a print job, that is, routing the print job to one or more printers for printing (col. 7, lines 15-22, Fig. 2), and Reisman discloses that information transport component 14 provides a general purpose facility for sending and fetching information objects between an end user's computer (the client) and a central server (col. 6, lines 58-61).

In the Response To Arguments, the Examiner asserts Rourke teaches printing a document and that Reisman teaches the capability of sending, "which means the combination performs a plurality of operations on a single digital file."

However, the asserted combination of a first server for "printing a document," and a second server that has "the capability of sending," does not disclose, teach, or suggest the fundamental concept of a server performing a plurality of operations on a single digital file, much less a server system for a document processing system, the server system comprising a server configured to perform a plurality of operations on a single digital file. Rather, the asserted combination would merely yield two different servers, one that is for "printing a document," and one that has "the capability of sending," not a server configured to perform a plurality of operations on a single digital file, as recited in claim 12.

In addition, for substantially the same reasons as set forth above with respect to claim 1, Reisman is completely unrelated to a server system for document processing, much less in the manner as recited in claim 12, but rather, is directed to enabling a user at a user station to select a personalized set of information channels from a listing of available information channels (col. 1, lines 29-31).

Thus, Reisman does not deal with matter such as logically would have commended itself to Applicants' attention in considering their problem. MPEP 2141.01(a).

Consequently, Reisman is directed to subject matter that is wholly unrelated to Applicants' claimed invention, and is not analogous art. Thus, the combination of Rourke and Reisman may not be employed in rejecting claim 12 under MPEP 2141.01(a).

Accordingly, for at least the reasons set forth above, Applicants submit that claim 12 is allowable in its present form.

Claims 13-15 are believed allowable due to their dependence, directly or indirectly, on otherwise allowable base claim 12.

Accordingly, for at least the reasons set forth above, Applicants respectfully request that the rejection of claims 1-5 and 12-15 under 35 U.S.C. 103(a) be withdrawn.

Claims 6-11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Senn, et al., U.S. Patent No. 6,151,610 (hereinafter, Senn) in view of Rourke. Applicants request reconsideration of the rejection of claims 6-11 in view of the following.

Senn is directed to the representation and manipulation of documents on a display device, for example, using a scripting language, to keep a system open to commands at all times so as to prevent a "busy" cursor on a computer (col. 1, lines 11-12, and lines 25-30). The Senn summary discloses a document management apparatus that has a scripting language that controls documents

by setting the attributes of documents, wherein attributes are pieces of data within a document (col. 1, lines 33-35). Documents are stored in a repository (col. 6, line 56). A user may retrieve documents from different repositories (col. 7, lines 17-18). A repository server serves the documents to clients, and includes a search engine and an interface to process search requests (col. 7, lines 37-42). The scripts are used to control the renderer of the document (col. 11, lines 27-40).

Applicants believe that claims 6-11 patentably define Applicants' invention over Senn, for at least the reasons set forth below.

Claim 6 is directed to a method of processing a digital file. Claim 6 recites scanning a document with a scanner to thereby obtain the digital file; building a job object including a plurality of action objects; and performing the action objects on the digital file.

Senn does not disclose, teach, or suggest scanning a document with a scanner to thereby obtain the digital file; building a job object including a plurality of action objects; and performing the action objects on the digital file, as recited in claim 6.

Rather, Senn discloses that attributes of a document are set by scripts (col. 1, lines 33-35), and that the scripts are used to control the renderer of the document for displaying the document (col. 11, lines 27-40).

The Patent and Trademark Office must determine the scope of claims in patent applications not solely on the basis of the claim language, but upon giving claims their broadest reasonable construction "in light of the specification as it would be interpreted by one of ordinary skill in the art." *In re Am. Acad. of Sci. Tech. Ctr.*, 367 F.3d 1359, 1364 [70 USPQ2d 1827] (Fed. Cir. 2004). (Emphasis added).

However, the Senn "attributes" pertain to displaying a document on a computer monitor.

For example, an "attribute," as defined by Senn, is a piece of data stored in a document (col. 2, line 49), and can be modified by a script (col. 2, line 60), and describes the display of the document in a 3-dimensional visual workspace, for example, the X, Y, and Z positions (col. 4, lines 18-27).

In addition, the Senn "attributes" simply do not disclose, teach, or suggest "action" within the context of Applicants' claimed invention, in that nothing in the Senn "attributes" denotes an action to be taken, as would constitute an "action object" within the context of Applicants' claimed invention.

Thus, "attributes" in Senn are data that describe the display of a document in a workspace, and have no bearing on and do not disclose, teach, or suggest a job object including a plurality of action objects "in light of [Applicants'] specification as it would be interpreted by one of ordinary skill in the art." *In re Am. Acad. of Sci. Tech. Ctr.*, 367 F.3d 1359, 1364 [70 USPQ2d 1827] (Fed. Cir. 2004). (Emphasis added).

Accordingly, Senn does not disclose, teach, or suggest building a job object including a plurality of action objects; and performing the action objects on the digital file, as recited in claim 6.

In addition, in contrast to building a job object including a plurality of action objects; and performing the action objects on the digital file, the Rourke "attributes" pertain to job level attributes (e.g. set quantity, copy count, finishing requirements, plex and page numbering), page level attributes (e.g. stock color separation information, image quality, reduction/enlargement and sides to be imaged), and image level attributes (e.g. size of image, color of image, location of image relative to a page) (col. 7, lines 22-28).

Thus, the Rourke attributes and use thereof does not relate to or disclose, teach, or suggest building a job object including a plurality of action objects, and performing the action objects on the digital file, as recited in claim 6, and as viewed "in light of the specification as it would be interpreted by one of ordinary skill in the art." *In re Am. Acad. of Sci. Tech. Ctr.*, 367 F.3d 1359, 1364 [70 USPQ2d 1827] (Fed. Cir. 2004). (Emphasis added).

For example, the Rourke "attributes" simply do not disclose, teach, or suggest "action objects" within the context of Applicants' claimed invention.

Nothing in the Rourke "attributes" denotes an action to be taken, as would constitute an "action" within the context of Applicants' claimed invention. Rather, the Rourke "attributes" pertain to parameters to be employed when performing printing.

Accordingly, the combination of Rourke and Senn does not yield Applicants' claimed invention, and hence claim 6 is not obvious over Rourke in view of Senn.

In the Response To Arguments, the Examiner asserts that Senn discloses building a job object including a plurality of action objects, and performing the action objects on the digital file, Applicants respectfully note to the Examiner that the Examiner has not demonstrated that the effective dates of the definitions relied upon by the Examiner in the Response To Arguments, including the definition obtained via WhatIs.com.

Since the relied-upon definitions were not shown by the Examiner to have an effective date or to have been in use at the time Applicants' invention was made, such definitions may not be used as part of the rejection of Applicants' claims under 35 USC §103(a), and may not be employed in interpreting Applicants' claims.

Accordingly, for at least the reasons set forth above, Applicants respectfully submit that the cited references, Senn in view of Rourke, taken alone or in combination, do not disclose,

teach, or suggest the subject matter of claim 6. Claim 6 is thus believed allowable in its present form.

Claims 7-11, are believed allowable due to their dependence, directly or indirectly, on otherwise allowable base claim 6. In addition, claims 7-11 further and patentably define the invention over Senn in view of Rourke.

Accordingly, for at least the reasons set forth above, Applicants respectfully request that the rejection of claims 6-11 under 35 U.S.C. 103(a) be withdrawn.

For the foregoing reasons, Applicants submit that no combination of the cited references teaches, discloses or suggests the subject matter of the appended claims. The pending claims are therefore in condition for allowance, and Applicants respectfully request withdrawal of all rejections and allowance of the claims.

In the event Applicants have overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby conditionally petition therefor and authorize that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (317) 894-0801.

Respectfully submitted,

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